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with the respects of
Wm. Appleton

Boston, October 16, 1867.

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ANCESTRY

OF

MARY OLIVER.

PROPERTY OF
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1876

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ANCESTRY

OF

MARY OLIVER,

WHO LIVED 1640-1698, AND WAS WIFE OF

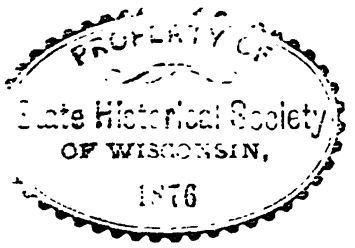
SAMUEL APPLETON,

OF IPSWICH.

BY

WILLIAM S. APPLETON.

CAMBRIDGE:
PRESS OF JOHN WILSON AND SON.
1867.



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INTRODUCTION.

THERE were but few among the early settlers of New England, whose names passed away for lack of heirs male so soon as that of John Oliver of Newbury; and whose genealogical history can therefore be embraced in so small compass. I know no good reason for believing him to have been a member of the family of the same name in Boston; on the contrary, it may be taken as certain, that there were five or six families of this surname in Massachusetts, no two of which have been shown to have a common origin in England. I have long wished to try to give a correct account of the life of my own ancestor, John Oliver of Newbury; and the number of documents illustrating his English pedigree has seemed to me such as to warrant their appearance in this shape.

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SKETCH

OF THE

LIFE OF JOHN OLIVER.

JOHN OLIVER was born at Bristol, England, in 1613. In 1629 he was apprenticed for eight years to his uncle, Walter Stephens of Bristol, mercer. James Oliver, his father, died in 1629, and his mother, Frances, in 1635. He probably came to New England in 1639, in company with the Lowles, Richard Dole, and William Gerrish. I presume he brought with him his wife Joanna, whom I believe to have been daughter of Percival Lowle.* He settled at Newbury, Massachusetts, and was made Freeman of the Colony, 13 May, 1640. His business seems to have been that of a merchant and importer of English goods. On 2 June, 1641, he was appointed by the General Court, with Mr. Woodman and Mr. John Woodbridge, "to order small causes at Newberry." The day of his death is not known, but it was before June, 1642. He was

* See Appendix.

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probably either dead or an invalid in October, 1641, when Mr. Edward Rauson was "appointed insteed of Mr Oliver, to end small causes at Newberry." John Oliver left in lands and goods an estate of about £420, and an only child, Mary, born 7 June, 1640. His widow married, 17 April, 1645, Capt. William Gerrish of Newbury, and died 14 June, 1677; and Mary, his daughter and heir, married 8 December, 1656, Samuel Appleton, jr., of Ipswich, and was mother of John, Isaac, Joanna, Joseph, Oliver and Mary Appleton. Through Isaac and Oliver she was ancestress of most of the name in the New-England States and New York. She died 15 February, 1698, and lies buried at Ipswich.

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DOCUMENTS.

EXTRACTS FROM PARISH REGISTERS OF BRISTOL, ENGLAND.

St. Thomas.

1557. THOMAS OLIVER was buried the 23 of June.

St. Stephen.

1577. JOHN OLIVER and ELIZABETH ROWLAND were maried the 28th of August.

1585–(6). MICHAELL OLLIVER and ANN ROCHE the 20th of Januarij.

1599. Mr JEROME HAM and ELIZABETH OLIVER widow the 18th of Februarij.

1578. ROBERT sonne to John Oliver was Ba. the 28th of June.
1579. MARGRET dtr „ „ „ „ 26th of Septêbr.
1580–(1). MARIE „ „ „ „ „ iith of Marche.
1582. THOMAS* sonne of „ „ „ „ 14th of Aprill.
1584. EDWARD „ „ „ „ „ 24th of October.
1585. JOHN „ „ „ „ „ 11th of November.
1586. JAMES „ „ „ „ „ 3 of Decêber.

* This Thomas has been thought to be the early settler at Boston, and elder of the First Church here, but of this no proof whatever has been shown.

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1587–(8). Tobie sonne of John Oliver was Ba. the 26 of Januarie.
1589. W^m . „ „ „ „ „ 5^th of Aprell.
1591. W^m „ „ „ „ „ 3 of May.
1592. Henry Oliver the sonne of John Oliver was Ba. 23^th of Aprill.
1593. Frauncis sonne of John Oliver was Ba. the 22 of August.
1613. Maij 15 John the sonne of James Oliver was baptized.
1614–(5). Januarie 17 Marie the daugh^tr of James Oliver was baptized.
1616–(7). Mche 3 James the sonne of James Oliver was baptized.
1618. Aprill 27 Christopher „ „ „ „ „ „

1580. Margret dtr to John Oliver was bu. the 25^th of Aprill.
1584. Jone Oliver bu. y^e ii^th of October.
1584. The sonn (*Edward*) of John Oliver bu. y^e same day (*as his baptism*).
1591–(2). W^m Oliver sonne of John Oliver bu. the 23 of m^rche.
1597–(8). John Oliver bu. the last of January.
1622. December 26 Harrie Oliver a strainger was buried.
1625–(6). Februari 15 Henrie Oliver m^rchante was buried.
1629. Novemb^r 23 Brigget Oliver widow was buried.

St. Werburgh.

1614. Henry Oliver Batcheler and Bridgett Morris maiden were maried the twentie and fourth day of Aprill 24, 1614.
1624. Martha the daughter of James Oliver was buried the tenth day of September.
1635. Mris. Francis Oliver was buried the seavententh of September.

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WILLS FROM PROBATE OFFICES OF LONDON AND BRISTOL.

SIMON OLIVER, citizen of Bristol. His will in Latin was written 2 May, 1419, and proved 10 May, 1419. He desired to be buried in the church of St. Peter, near his wife Agnes; and bequeathed to his brother, John Oliver, a house in Bristol.

THOMAS OLIVER.

In the name of God Amen the xixth daie of June in the yere of o^{r} Lord God 1557, & in the Thirde and Fourthe yeres of the Raigne of our soveraigne Lorde & Ladie Phillippe and Marie by the grace of God Kinge & Queene of Englaund, Hispainne, Fraunce, both Sicills, Jerusalem & Irelande defondors of the Faithe, Archduckes of Austridge, Dukes of Burgondie Melaine & Brabant, Contiss of Haspurge Flandors & Tiroll, I Thomas Oliver of the ꝑisshe of S^{t} Thomas thappostell within the Cittie of Bristoll Baker, beinge of whole mynde & ꝑfecte remembraunce doe constitute & make this my p^{r}nte Testam^{t} contayninnge my laste will in mano^{r} & fourm followinge. First I bequeathe my sowle unto Almightie God our heavenlie Father belevinge verelie and trusting stedfastlie in his mercie & favour to be saved by the onlie merits of his son Jesus Christe my most sufficient redemer and Savio^{r} next I bequeth my bodie to be buryed in the churcheard of St.

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Thomas aforesaid whose resurrection in the last daie by the power of God I doe loke for faythfullye. Item I bequeathe to the poore people of thalunds * wthin the ꝑishe aforesaid of St Thomas vj^{s} viij^{d} in breade. Item I geve and bequeathe to Elizabeth Oliver my daughter and her heires all that my Teñte or messuage wth thapp^{r}tenñcs sett lyinge & beinge wthin Reckliffe streate in w^{ch} Richard Rose Shomaker dwelleth to be enjoyed by her at such tyme as she shall come to thage of viij † yeres. Item I geve & bequeathe to Margaret my well-beloved wieffe all that my messuage or Teñte wth thapp^{r}tenñcs lyinge uppon the backe of thafforesaid Cyttie of Bristoll wherein John Thomas now dwelleth To have and to houlde to her and her assignes for ever to geve or dispose as shall please her and to her discretion shall seme best. Item I geve and bequeathe to John my sonn all the rest of my lands teñts Rents Re$\overset{v}{}$cons & s$\overset{v}{}$ics wth all & singular thapp^{r}tenñcs wthin the Cittie of Bristoll aforesaid & subburbes of the same Cittie to have & to hould to him & to his heires for ever, when & as sone as he cometh to the full age of xxj^{tie} yeres. Item I will that my wief Margaret shall have the Custodie governance & kepinge of my said sonn & daughter duringe theire nonage and also shall have ꝑceave & take to her owne proꝑ use & behoufe the Rents yssues & ꝑfitts of all my lands unto them bequethed & geven untill they come to theire full age wthout makinge anie paym^{t} or accompte for the same. And yf it shall happen my

* The almshouse. † Probably a mistake for xviii.

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said son & daughter or eyther of them to die before they shall come to their full age (w^{ch} God forbidd) or yf they die wthout yssue or theire yssue die Then I will all the aforesaid lands ten̄ts re$\bar{v}$cons and servic^{s} bequeathed & geven to them or eyther of them so dyinge shall im̄diatlie after theire decease hollie remaine to my said wief Margaret & to theires of her bodie lawfullie begotten for ever And for lacke of suche heires of her bodie whollie to my brother in lawe Richard Alkyn & his heires & assignes for ever. And yf it happen (w^{ch} God forbidd) the said Richard Alkin & his heires of his bodie lawfullie begotten & theire yssue to decease Then I will all the p^{r}misses aforesaid wth thapp^{r}ten̄cs whollie to remaine to my sister in lawe Elizabeth Craddocke & to theires of her bodie lawfullie begotten for e$\bar{v}$. Item I geve and bequeathe to my said sonn John my goblett of silver ꝑcell guilte & haulf a dozen Silver spones with maydens hedds. Item I geve & bequethe to my said daughter Elizabeth a standinge Cuppe of silver ꝑcell guilt & haulfe a dozen of spones. Item all the rest of all my goods, Jewells, plate, ringes, householde stuffe and Implemen^{ts} aswell moveable & unmoveable my detts paid & my funerall expenc^{s} deducted I geve unto my said wieff Margaret whome I ordeine & make my full & sole executrix of this my p^{r}n̄te Testam^{t} & last will. Item I make and ordeine my verie lovinge frends Richard Alkin & Thomas Craddocke my brother lawes o$\bar{v}$seers of my Testam^{t} and I geve to e$\bar{v}$y of them for theire paines takinge x^{s} a peece. Item I geve to Willm̄ Edmonds Surgion for his paines takinge

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w^th^ me vj^s^ viij^d^. And I will and ordeine that this my laste will & Testament shall stand, & all others heretofore made by me or by anie other for me to be utterlie voyde and hadd for naughte. These witnesses followinge beinge presente at the makinge and affirminge of this p^r^ñte Testament that is to saye Richard Woodcocke sadler, Willm̃ Dawemer Taylo^r^, Randall Hassall, Shereman, & Richard Alkyn w^th^ others.

Proved 12 July 1557.

JOHN OLIVER.

In the name of God amen I John Olyver of the Citie of Bristoll marchaunt Beinge sicke of bodie but whole & parfecte of mynde thanks be our Lord God, doe ordaine and make this my last will and Testament in manner and Forme followinge. Fyrst I geve and bequeath my sowle into the hands of my blessed Saviour who w^th^ his precious bloud bought and redeemed y^t^, and by whose death and passion I hope to be saved, and my bodie I comitt to the earth to be buried in the parishe Church of St. Steph^e^ within the Citie of Bristoll. Item I give and bequeath to my sonne Robt̃ Olyver all my Landes & Tenements w^th^ their Appurtenanc^e^ w^th^in the countie of Glouc̃ And in the pishes of Wickwarr Cromholde & Yate, the which lands and Tenements w^th^ there appu^r^tenñcs I lately purchased of Alexander Neale of Yate in the said countie of Glouc̃. To have and to holde the saide Landes and Tenements with their appurtenances unto the said Robt̃ Olyver my sonne and to his heires

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males forever, uppon Condic̃on that he the saide Robt Olyver and his heires do paye unto my youngest Sonne Henry Olyver, duringe his naturall liffe out of the said Lands & tenements with their Appurtenancs the some of twentie poundes Currant money Yeerelie. And for default of such yssue male of my sonne Robt I will that the said Lands & Tenements doe come and discende to Thomas my sonne and to his heires males upon the like condic̃on And for want of yssue males of Thomas my will is that it come and discende to John my sonne uppon the like condic̃ons and so from one to another to the Last. Item all my Lands & tenements within the Citie of Bristoll that were some times the Landes & tenements of my Father Thomas Olyver & also all other Lands & Tenements that I myselfe purchased wth in the said Cittie I geve and bequeath in manner & forme followinge. Fyrst my Capitall messuage in Corne street that latelie I purchased of Richard Kelke gent. & the tenement that Robt Fryer dwelleth in I geve to Thomas my sonne and to his heires forever. Item I geve to John my sonne my tenement on the backe wherein lately William Colston dwelt, To have & to holde to him & his heires for ever. It. I geve and bequeath my three Tenements in Reckliffe streete wherein Richard Wodson dwelleth in, John Dolphin & Thomas Holbin baker dwelleth in unto James my sonn and to his heires forever. Item I geve my Tenement in St. Thomas streete called the white Lyon & three little tenements and a garden and two stables to Thobye my sonne and to his heires forever. Item

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I geve to Henry my sonne the garden & lodge in Marshe streete that I Lately purchased of Mr Kelke, To have and to houlde to him and his heires forever. Item I geve to James my sonn my tenement that I dwell in scituate in Balland streete to him and his heires forever, payinge to the Company of taylors within the Cittie of Bristoll Fortie shillings per annū as by their writinge appeareth. Item I geve to Mary my daughter the profittes and cōmodities that shall growe and encrease uppon my parte of the Lease of presage for three Yeeres beginninge at Michaelmas laste, the rest of the yeeres unexpired after three yeres I will that Thomas & John my sonnes shall equallie have & enjoye the same by even porcons. Item I geve to James my sonn and to my sonn Thoby one other hundred poundes. Item my Lande in longe Ashton in the countie of Somerss^{t} I geve to my welbeloved wief Elizabeth Oliver & to her heires for ever. Item I geve to the Church wardens of the parishe Churche of St. Stephens for ever one little Tenement in Fysher Lane wherein Manfeilde latly dwelt, To have & to houlde to them & their heires to the use of the said pishe Church for ever, payinge and doinge such servic^{s} & rents as of right they ought and as the writinge doth conteyne theirin. All the rest of my goods and Chattelles not devised by this my will I geve & bequeath to Elizabeth my wiffe whome I make and appoynte Executrix of this my Last will & Testament whome I doe desyre that she will gyve to my mother Margarett Coxe widowe duringe her naturall lief Fyve poundes per annū

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sterlinge And my will is that my said wiffe shall not be compelled to putt in sureties for my said Childrens portions above bequeathed duringe the time of her wydowhead but yf she mary then (my) will ys that she shall putt in Assurance accordinge to the Custome of this Cittie. And I doe intreate my good Freindes Mr John Webbe now mayor, Thomas Coventrye Esquire and Mr John Barker to be overseers of this my Last will, and I geve to every of them a gowne a peace to solemnize my funerall. This will firmed in the presence of John Robers and Richard Woodsonne, Francis Spencer and others.

Proved 6 February 1598.

ELIZABETH HAM, LATE OLIVER.

A note of such things as I Elizabeth Ham wiffe of Hierom Ham of the Cittie of Bristoll Gent. late wiffe and Executrix of Jn° Olyver of the said Citty Mrchant doe geve unto my Children & theire Children the 24th of Decembr one thousand six hundred ninteene.

Imprs I geve unto my daughter Mary Gryffith one sixteenth ptt of the prysadge * lease, and unto my sonne Henry Ollyver

* I am not sure if this be a farming-out of the prisage, which JOHNSON defines as "a custom, now called butlerage, whereby the prince challenges out of every bark loaden with wine, two tuns of wine at his price." Tomlin's Law Dictionary says: "It is where the King claims out of every ship or vessel laden with wine, containing twenty tons or more, two tons of wine, the one before, the other behind the mast, at his price, which is twenty shillings for each ton."

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thother sixtenth ꝑtt of the same prysadge lease I did putt my husband Hierom Ham in trust to buy for mee and to bee disposed of at my pleasure And if it shall happen my said daughter Mary Griffith shall decease and deꝑtt this liffe before thend of the said sixteenth ꝑtt of the lease, then I will that all the ꝑfitt and benefitt of the tyme then remayning shall issue to her children to bee devided by equall ꝑtions that Child only excepted w^{ch} shall then be interested in the lyving in Redland. More I geve unto her one fether bed on boulster and two pillowes w^{ch} is ffiked wth two lettres for her name and my best Arras Coverlett the great Cypres Chest a needle worcke Chayre wth the two stooles one of the gilt Chayres and all my wearing apparell whatsoever belonging unto me, also I give unto her half the brasse and iron and that she quietly enjoy all such things I have heretofore delyvered her.

More I geve unto my Grandchild William Griffith the great spruce Chest in the hyer galery and my greene Carpet.

More I geve to Mary Griffith my grandchild my dossen of apostles spoones, her Mother to have the use of them so long as she lyveth, and I will that her mother shall leave her the bedding w^{ch} I do geve her.

It̃ my will is that my sonne Henry Olliver doe pay out of his said sixtenth ꝑtt of the prysadge lease unto my husband Jerom Ham Ten pounds yearly during the lease (if he so long shall live) only the last two yeeres thereof excepted to him the said Henry.

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More he shall pay unto my sonne Thomas Rowland * out of y^e^ said sixtenth ꝑtt during the said lease (only the last two yeares to him the said Henry excepted) Ten pounds yeerely (if the said Thomas soe longe shall live) and if the said Thomas shall happen to deꝑtt this liffe before thend of these yeares geven him Then my will is that what yeares shalbe then to come shall remaine to his Children that hath no ꝑtions left them by theire grandmother Redwood.

More my will is that the first ten pounds payable out of his sixtenth ꝑtt of prysadge lese unto my sonne Thomas Rowland shalbe geven unto Mary Oliver the daughter of my sonne James Oliver as my Guift. And my will is that my sonne Henry Olyver shall leave in my executo^rs^ hands the said sixtenth ꝑtt of the prysadge lease so geven him for thassurance of the payment of the said ten pounds yeerely to the said Hierom Ham and the ten pounds yeerely to the said Thomas Rowland And if the said Sixtenth ꝑtt of prysadge soe geven him the said Henry shall at any tyme not amount to the some of Forty pounds by the yeere, then each of them shall stand to theire ꝑtt of the losse accordingly. And if it happen my Sone Henry Oliver deꝑte this liffe before thend of the yeeres geven him, Then whatsoever is geven him by this my will shall re-

* It would seem possible that Mrs. Ham may have been a Widow Rowland, when she married John Oliver. At London is the will of John Rowland, who died in 1576, leaving a wife Elizabeth and a son Thomas. He was evidently some relation of Thomas Rowland, Alderman of Bristol, who was Mayor in 1584, and died in 1586.

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maine to his Children Jn° Oliver Thomas Oliver and Hierom Oliver to bee devided them by equall porc̃ons.

The rest of my plate and houshold stuffe not geven I geve unto my husband Hierom Ham and my will is that untill my funerall and the hundred pound due to the Chamber for Robert Rowland and what else I shall owe bee paid none shall receave or demaund any porc̃on out of the prysadge And I do ordaine for my Executo^rs^ my husband Hierom Ham and my sonne in law Jn° Griffith agreed unto by me Hier^m^ Ham by me Elisabeth Ham. Published to bee the last will of the said Elizabeth Ham the daye and yeare above said in the presence of me John Smyth.

Proved 30 October, 1628.

JAMES OLIVER.

The 25^th^ of March 1628 : —

Witnesseth per theis presents That I James Oliver of the Cittie of Bristoll, Marchant, and nowe Servant to the hono^ble^ Compaine of the English nowe tradeinge to the East India, and nowe chiefe of the English in the Factorie of Mocho, Doe ordaine this for my last will and testament in manner and forme followinge. Imprimis I desire the President of Surratt, that all my meanes which shall appeare in my Booke maie be lett out in the Pursers Booke of our Shipping tradinge to the East India to the best proffitt for my wife and children. Item my will is that my estate shalbe devided betweene my fower

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children, Provided that my wife shall have the use of it duringe my childrens minorite, putting in sufficient securitie Otherwise my will is that it shall remaine in the handes of the father of Orphants belonginge to the Cittie of Bristoll, allowinge therefore maintenance sufficient to maintaine my children duringe their minoritie, And if it shall happen that any of my children should departe this life duringe their minoritie Then my will is that his porc̃on or hers so dyinge shalbe equally devided betweene the other three and soe likewise of the rest. In wittnes whereof I have hereunto putt my firme the daie and yeare above written. ꝑ me James Oliver.

Proved 22 August 1629.

FRANCES OLIVER.

In the name of God Amen. The fowrth day of September in the yeere of our Lord God one Thousand six hundred Thirtie and five I Francis Olliver of the Cittie of Bristoll widdowe, being sicke in bodie butt of good and perfect minde and memorie (praised bee God) doe make and ordeine this my last Will and Testament in manner and forme following.

Imprimis I geive and bequeath unto my sonne John Olliver all the Capitall messuage in Cornstreete, bought of my mother in lawe, M^rs^ Elizabeth Ham; wherin M^rs^ Jackson and myselfe now dwelleth, to him and his heires forever.

Item I geive and bequeath unto my sonne John Olliver the

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tenement in Redcliffe streete whearin Rowland Morgan now dwelleth to him and his heires forever.

Item I geive unto my sonne John Olliver a gilt salt and two gould Rings for a token, the one platted, and the other wth small green stones.

Item I geive and bequeath unto my sonne James Olliver the some of fiftie pounds which I appointe to bee payd unto him by my sonne John Olliver at such time as the sayd James his Terme of Apprentiship shalbe expired.

Item I geive unto my sonne James Olliver as a token my weddinge Ringe; and my greate bible.

Item I geive and bequeath unto my sonne Christopher Olliver the some of fiftie pounds to be payd by my sonne John Olliver at such time as the said Christopher his Terme of Apprentiship shalbe expired.

It. I geive unto my sonne Christopher Olliver as a token one silver beare boule and a small wine boule; and one gould Ring with a small green stone.

Item I geive and bequeath unto my daughter Mary Olliver that my Tenement in Baldwin streete wherin John Filkins now dwelleth to her and her heires forever; with this Condition that If she shall hereafter make sale of the saide Tenement, that then my sonne John Olliver shall have it or leave it (at his choise) for the some of One hundred fowerscore and tenn pounds; withall the apteinances of it as by the Inventory shall appeare.

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Item I geive and bequeath unto my daughter Mary Olliver Tenn pounds left her by my mother in lawe M^rs^ Elizabeth Ham which I will that she shall take in such of my houshold stuffe as she shall like and make choise of.

Item I geive unto my daughter Mary Olliver my diamond Ring and a silver beare boule that hath her name in it; and eight silver spoones, having her name in them, and all my apparell except such things as I shall mention in a note.

Item my further will is Concerning the said two fiftie pounds afore geiven to my two sonnes; that If they dye before theire apprentiships shalbe expired, that then my executor shall not stand Chargable with the payment therof.

Item I geive unto my Mother as a Token of my love, my gould Ring with deathes heade.

Item I geive unto my loving brother M^r^ Christopher Cary, and my loving freinde M^r^ William Shute, Twenty shillings a peece for A Token.

Item I geive and bequeath unto the poore to be distributed at the discretion of my sonne John Olliver the some of forty shillings.

All the rest of my goods I geive and bequeath unto my sonne John Olliver, whome I make sole executor of this my last will, and I doe entreate my brother M^r^ Christopher Cary and my loving freind M^r^ William Shute to be overseers of this my will.

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In Wittnesse whereof I have hereunto sett my hand and seale the day and yeare first above written.

Witnesses, LEETICE CARY Junior. FRANCIS OLLYVER.
KATHERINE STURGIS.

Proved 3 October 1635.

At London is the will of Robert Oliver of Lydeard Lawrence, in the county of Somerset, written and proved in 1582. He mentions his sons Simon, Robert, William, John, Edward, his daughters Johan, Elizabeth, and Agnes, and also Robert, son of John Oliver. He is not known to have been a relative of those of Bristol, but the use of the same names renders such relationship extremely probable. Lydeard Lawrence is about forty miles from Bristol.

FROM THE APPRENTICE BOOK IN THE TOWN CLERK'S OFFICE, BRISTOL.

1629, November 9. Johes Oliver fił Jacobi Oliver nup de Civit^e Bristoll mercator def posuit se apprẽtic Waltero Stephens dić Civit^s mercer & Bridgett ux eius pro terṁ Octo annꝰ Sol iiij^s vj^d p libtate Bristoll cum dupł appaŕ etc. A bond is given upon his Mother of 6^lb to repay, hir nam is Francis Oliver.

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FROM THE REGISTRY OF DEEDS, BOSTON.

1 (1) 1643. Jo: Oliver late of the Cittye of Bristall merc & now livinge in Newberye in New England aged 27: yeares sworne saith uꝑ his oath yt he received a letter from Edward Beñett the purser of the Marye Rose wherin he desired the said Jo: Olliver to come & receive a packe consigned to him by Mr Simon Lewis of Bristall whereupon this deponent sayth yt he went to Boston the next day & went aboard the Marye Rose wth a Bigg boat & desired the packe of the sayd Edward Benett but he answered he could not come to it at prsent desiringe he would come on the morow before lecture, at wch time he saith he went aboard wth one Tho. Millards shalopp earnistly desiringe to have the said packe, to wch The Shipmen made answere yei would not deliver it because Mr Benett was not aboard.

Juraꝭ 17th Sept: 1640. coram me SIMON BROADSTREET.

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APPENDIX.

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APPENDIX.

Whom did John Oliver of Newbury marry?

The only woman, who has been supposed to have become wife of John Oliver, can not have done so, for the very good reason that she never had any being. Joshua Coffin, and, after him, the Hon. James Savage, say that John Oliver married Joanna, daughter of Elizabeth Goodale of Newbury, who came from Yarmouth, England, a widow. She was invented to fulfill certain conditions of relationship; but I hope to be able to show that no such daughter ever lived, and also to arrive as near as possible to actual proof that this Joanna was daughter of Percival Lowle of Newbury.

As to the first point, the evidence is mostly of a negative character. The will of John Goodall of Yarmouth, husband of Elizabeth, has been examined. It was written in June, 1625. He mentions his daughters Rebecca, Elizabeth and Maria, and his step-daughter Susan Taylor, but no Joanna is named.

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The following document may be read at the State House * in Boston, and the judgment of the General Court thereon is found in the Records of Massachusetts, III. 125, under date of 13 May, 1648: —

To y^e^ honnored gennerall Courte now Assembled at Boston.

The humble petic̃on of W^m^ Gerrish, Richard Lowle, John Sannders, Richard Knight and Nicolas Noyes,
Humbly sheweth,

That whereas the estate of John Lowle deceased by us & Elizabeth Lowle wyddow hath binn devided betweene the said wyddow and the children: only tenn pounds worth of Clothes wch are somewhat darkly in the will given to Elizabeth Lowle daughter to the said wyddow as in the will as of the said Elizabeth Lowle mother & now wyddow, but the genuine interpretac̃on is conceaved that the father intended his daughter the said legacy as out of hir grandmothers clothes wch by this Courte was given to the said Elizabeth Lowle wyddow & Susanna Toppan daughters to Elizabeth Goodale deceased who died intestate now they disire they might understand to wch this Courte inclines & their order shall be observed, &c.

Now for the second point, where also we want such absolute certainty, as would be afforded by the register of the parish of Kingston-Seymour and the will of Percival Lowle. John Lowle, in his will of 9. 4. 1647, appoints his brothers W^m^

* Estates, Vol. I.

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Gerrish, Richard Lowle, John Sanders, Richard Knight and Nicholas Noice executors, and uses these words: "If my wife marry, my daughter Mary shall live with my sister Johan Gerrish, if my sister please, if daughter Mary chuse to live with my sister before my wife." The reasonable explanation of this provision, and of the fact that the name of Wm Gerrish stands first, seems to me to be that Johan Gerrish, widow of John Oliver, was own sister of the testator.

Elizabeth Lowle, in her will, written in March, 1650, mentions her sister Tappin, and her four brothers, Thomas Millard, Richard Lowle, Abraham Tappin and Wm Gerrish. Here the order probably agrees with the degree of relationship. We can only guess at that of Thomas Millard, but he may have had as first wife Rebecca, sister of the testatrix, and in her memory have given that name to one of his daughters; Richard Lowle was her husband's brother; Abraham Tappin married her half-sister, Susan Taylor; and Wm Gerrish married her husband's sister Joanna.

I shall be very glad if this conjecture of mine — I do not dare to give it a higher name — shall receive such critical attention, from those whose opinion is valuable, as may test its claims to consideration. I shall listen to such persons as are willing to adopt it, or able to confirm it, with more pleasure than to those who wish to overthrow it, unless some other name be suggested for that of Joanna Lowle.

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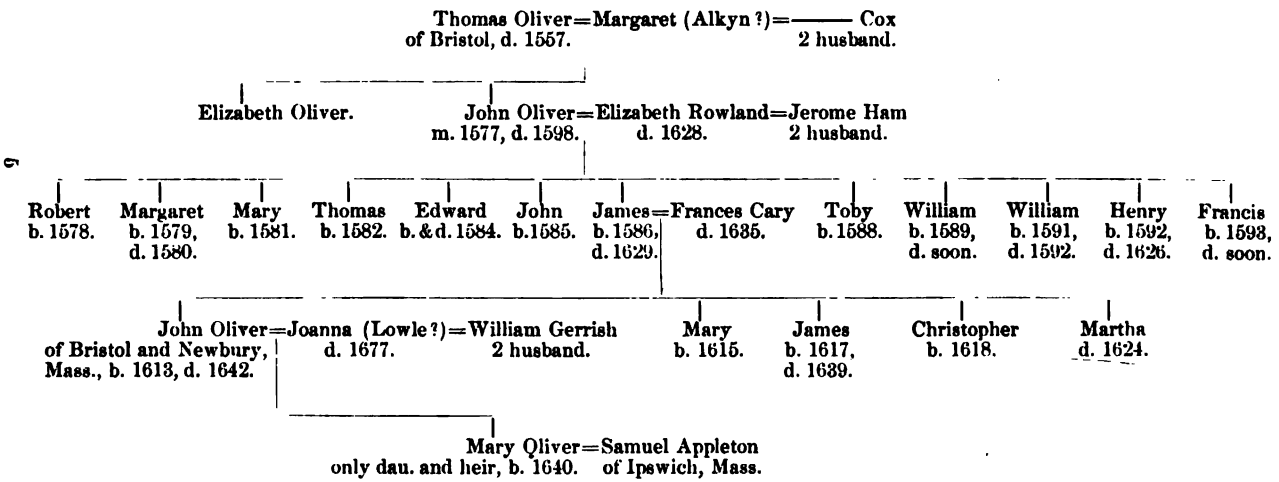
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PEDIGREES.

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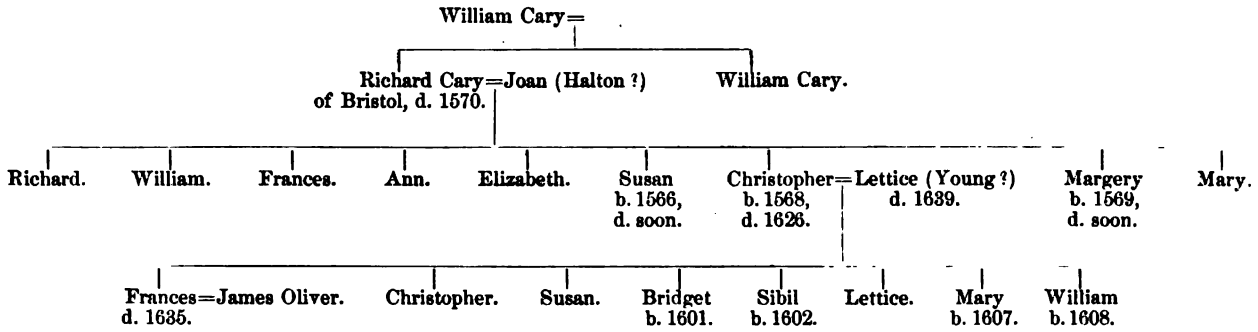
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Pedigree of Oliver.



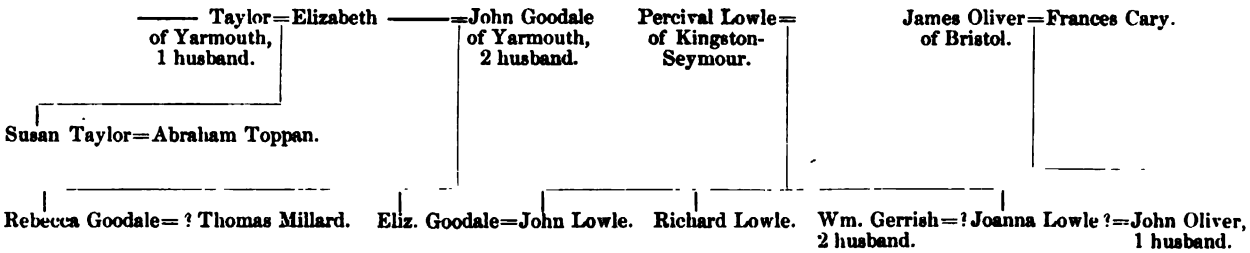
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Pedigree of Cary.



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Brothers and Sisters of Joanna Oliver.



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